

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARC BONNANT,

Plaintiff,

-against-

Case No.

09-cv-3007

MERRILL, LYNCH, PIERCE, FENNER & SMITH,
INC. and MERRILL LYNCH CAPITAL SERVICES,
INC.,

Defendants.
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DECLARATION OF DAVID J. HOFFMAN

1. I am counsel for Plaintiff Marc Bonnant.
2. I submit this declaration in support of Plaintiff's FRCP 62.1 motion for relief under FRCP 60(b)(2) and FRCP 60(b)(3).
3. Attached hereto as exhibit 1 is a true copy of the October 1, 2010 submission of Ezequiel Nasser in the FINRA arbitration (without exhibits).
4. Attached hereto as Exhibit 2 is a true copy of the Declaration of Ezequiel Nasser.
5. Attached hereto as Exhibit 3 is a true copy of the Declaration of Claudia Srour.
6. Attached hereto as Exhibit 4 are true copies of Standing Letter of Authorization for various transfers excerpted from Exhibit I to Ms. Srour's declaration.
7. Attached hereto as Exhibit 5 is a true copy of a November 11, 2010 story from bloomber.com.

8. I declare the foregoing under penalty of perjury.

Dated: New York, New York
November 23, 2010

/s/David J. Hoffman
David J. Hoffman